

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 505, FOOD AND DRUGS ACT.

ADULTERATION AND MISBRANDING OF LEMON OIL.

On or about December 16, 1909, O. J. Weeks, doing business as O. J. Weeks & Co., New York City, shipped from the State of New York to the State of Virginia a consignment of a food product contained in a receptacle known as a "copper," labeled as follows: "From O. J. Weeks & Co. Manufacturers of Specialties for Bakers, Confectioners and Ice Cream Manufacturers 216 Franklin St., New York City," there being no other inscription on said container, but the product being invoiced as "25 lbs. Copper Lemon Oil." Samples from the above shipment were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and as the findings of the analyst and report made indicated that the product was adulterated and misbranded within the meaning of the Food and Drugs Act of June 30, 1906, said O. J. Weeks, and the party from whom the samples were procured, were afforded opportunities for hearings. As it appeared after hearings held that the above shipment was made in violation of the act, the Secretary of Agriculture reported the facts to the Attorney-General, with a statement of the evidence upon which to base a prosecution.

In due course a criminal information was filed in the Circuit Court of the United States for the Southern District of New York, charging the above shipment and alleging that the product was adulterated, in that a vegetable oil, known as sesame oil, had been mixed and packed therewith in such a manner as to reduce and lower its quality and strength, and had been substituted in part for the article; and further charging misbranding, in that it was sold under the distinctive name of another article, and was labeled and branded so as to deceive and mislead the purchaser.

The case coming on for hearing, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$3.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *June 25, 1910.*

